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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/878,230	06/12/2001	Kenneth C. Budka	2925-0551P	2080

30594 7590 10/23/2007
HARNESSE, DICKEY & PIERCE, P.L.C.
P.O. BOX 8910
RESTON, VA 20195

EXAMINER

PICH, PONNOREAY

ART UNIT	PAPER NUMBER
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2135

MAIL DATE	DELIVERY MODE
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10/23/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

09/878,230

Applicant(s)

BUDKA ET AL.

Examiner

Ponnoreay Pich

Art Unit

2135

All participants (applicant, applicant's representative, PTO personnel):

(1) Ponnoreay Pich.

(3) _____

(2) Linus Park.

(4) _____

Date of Interview: 01 October 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____

Claim(s) discussed: 1.

Identification of prior art discussed: Jacobi and Inoue.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. Park called the examiner to determine if the applicant was to file a deck under 37 CFR 132 in which the inventors were to swear that from 1996 to the date that the application was filed, the infrastructure did not exist to combine the teachings of the prior art in the manner suggest by the last office action if it would be sufficient to overcome the art of record. Mr. Park stated that the inventors would swear that because the infrastructure did not exist, it would not have been obvious to them as persons of ordinary skill in the art to combine the teachings of the prior art in the manner suggested at the time the application was filed because it was not possible to do so. The examiner stated that he would have to see the exact language of the deck and the evidences submitted to support applicant's position to make a determination and could not commit to anything he has not yet seen first. Mr. Park also asked if there were any way they could amend the claims to overcome the art of record and the examiner was not able to make any suggestions.